

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date set forth below as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231

Date of Signature and Deposit: June 6, 2001



PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Alan D. Attie  
Mark E. Cook  
Mark P. Gray-Keller  
Michael R. Hayden  
Simon Pimstone  
Angela R. Brooks-Wilson

Date: June 6, 2001

Serial No.: 09/704,272

Group Art Unit:

Filed: 11/01/2000

Examiner:

For: CHOLESTEROL TRANSPORT GENE

File No.: 960296.96668

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION  
Filed Under 37 CFR 1.53(b)  
*FILING DATE GRANTED*

Commissioner for Patents  
Customer Service Center  
Initial Patent Examination Division  
Washington, D.C. 20231

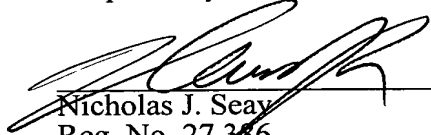
Dear Sir:

By a Notice mailed January 12, 2001 in the file of the above-identified application, the Patent and Trademark Office informed the applicants that the application as filed was missing needed components. The identified missing components were the filing fee and an oath or declaration signed by the inventors.

Included with this submission is a Declaration for Utility or Design Patent Application executed by all of the inventors of this application. In addition, enclosed with this application is a fee transmittal statement authorizing the Patent and Trademark Office to accept a fee of \$1578.00 (\$1448.00 filing fees, \$130.00 surcharge) from the deposit account number 17-0055 of the undersigned. In addition, a separate petition for extension of time is submitted herewith so that this response will be considered as timely filed.

Based on this submission, the missing parts of the nonprovisional application have been supplied to the Patent and Trademark Office and examination of the application on the merits in due course is respectfully requested.

Respectfully submitted,



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Nicholas J. Seay  
Reg. No. 27,386  
Attorney for Applicants  
QUARLES & BRADY LLP  
P.O. Box 2113  
Madison, WI 53701-2113

(608) 251-5000 TEL  
(608) 251-9166 FAX

**FEE TRANSMITTAL  
FOR FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

\$ 2,468.00

**Complete if Known**

Application Number	09/704,272
Filing Date	11/01/2000
First Named Inventor	Alan D. Attie
Group Art Unit	
Examiner Name	
Attorney Docket Number	960296.96668

**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

17-0055

Deposit  
Account  
Name

Quarles &amp; Brady LLP

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status  
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	710.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$) 710.00

**2. CLAIMS**

	Total Claims	Extra	Fee from below	Fee Paid
Total Claims	21	-20**= 1	X 18	= 18
Independent	12	-3**= 9	X 80	= 720
Multiple Dependent Claims				=

\*\* or number previously paid, if greater, For reissues see below

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 738.00

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920	112	920	Requesting publication of SIR prior to Examiner action	
113	1,840	113	1,840	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	890
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application	
141	1,240	241	620	Petition to revive unintentionally abandoned application	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
146	710	246	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	270	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1020.00

**SUBMITTED BY****Complete (if applicable)**

Typed or Printed Name	Nicholas J. Seay	Registration No. (Attorney/Agent)	27,386	Telephone	608/251-5000
Signature				Date	June 6, 2001



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/704,272	11/01/2000	Alan D. Attie	960296.96668

Nicholas J Seay  
Quarles & Brady LLP  
P O Box 2113  
Madison, WI 53701-2113

## FORMALITIES LETTER



\*OC000000005677090\*

Date Mailed: 01/12/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/12/2001 TGEDAHU1 00000146 170055 09704272

FILED UNDER 37 CFR 1.53(b)

01 FC:101 710.00 CH  
02 FC:103 18.00 CH  
03 FC:102 720.00 CH  
04 FC:105 130.00 CH

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$738.
  - \$18 for 1 total claims over 20.
  - \$720 for 9 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1578.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE